

# Exhibit A

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

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NIPPON SHINYAKU CO., LTD.,	)
	)
Plaintiff,	)
	)
v.	)
	)
SAREPTA THERAPEUTICS, INC.,	)
	)
Defendant.	)
	)
SAREPTA THERAPEUTICS, INC.,	C.A. No. 21-1015-MN
	)
Defendant and Counter-Plaintiff,	)
	)
v.	)
	)
NIPPON SHINYAKU CO., LTD. and	)
NS PHARMA, INC.,	)
	)
Plaintiff and Counter-Defendants.	)

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**[PROPOSED] ORDER**

This \_\_ day of May, 2022, in light of the U.S. Court of Appeals for the Federal Circuit's February 8, 2022 Opinion (D.I. 92), May 3, 2022 Order (D.I. 105), and May 4, 2022 Mandate (D.I. 107), IT IS HEREBY ORDERED that:

1. Nippon Shinyaku Co., Ltd. ("Nippon Shinyaku")'s Motion for Preliminary Injunction (D.I. 4) is GRANTED.
2. Sarepta Therapeutics, Inc. ("Sarepta") is HEREBY ORDERED to withdraw its previously-filed petitions for *inter partes* review ("IPR") of U.S. Patent Nos. 9,708,361; 10,385,092; 10,407,461; 10,487,106; 10,647,741; 10,662,217; and 10,683,322.

3. Within 5 days of this Order, to effectuate withdrawal of the IPR Petitions, the parties shall jointly submit an email to the Patent Trial and Appeal Board (“PTAB”) requesting a conference call to facilitate the withdrawal of the IPR Petitions by requesting leave to file motions to terminate the IPR Petitions. If the PTAB grants leave to file the motions to terminate the IPR Petitions, Sarepta shall move to terminate the IPR Petitions according to the schedule set by the PTAB.

4. Sarepta shall take no further action in the IPR proceedings aside from effectuating withdrawal of the aforementioned petitions.

5. Sarepta shall not reference or rely upon the IPR proceedings, including the Patent Trial and Appeal Board’s decisions to institute the IPRs, for any purpose with respect to patent validity or invalidity issues in the instant action.

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U.S. District Court Judge